

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

AMERINDO INVESTMENT ADVISORS,  
INC, et al.,

Defendants.

: 05 Civ. 5231 (LTS)

: MOTION TO  
DISMISS

:

:

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PLEASE TAKE NOTICE that upon the annexed Memorandum of Law, together with all the papers submitted in this case and in the criminal case of US v. Vilar and Tanaka, 05 cr 621 (RJS), incorporated herein by reference, and also the Declaration in support of the Motion to Dismiss filed in March 2012 (Document 211), GARY A. TANAKA will move this Court for an Order dismissing the case and for such other and further relief as to the Court appears just and proper.

Dated: Portland, Maine  
August 10, 2012

\_\_\_\_\_/s/\_\_\_\_\_  
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